

§ 12. Presidential Proclamations

The precedents in this section include Presidential proclamations which relate to national security matters and appear in the *Congressional Record*.

National Emergency Regarding Korea**§ 12.1 During the conflict in Korea, the President proclaimed a national emergency which required strengthening of defenses to repel threats to the national security and fulfill responsibilities to the United Nations.**

On Dec. 21, 1950,⁽¹⁵⁾ Mr. John W. McCormack, of Massachusetts, inserted in the Record the following proclamation made by the President on Dec. 16, 1950:

MR. MCCORMACK: Mr. Speaker, under leave to extend my remarks in the Record, I include the following text of President Truman's proclamation of the existence of a national emergency, issued today, taken from the New York Times of December 17, 1950:

TEXT OF EMERGENCY PROCLAMATION

Whereas recent events in Korea and elsewhere constitute a grave

threat to the peace of the world and imperil the efforts of this country and those of the United Nations to prevent aggression and armed conflict; and

Whereas world conquest by Communist imperialism is the goal of the forces of aggression that have been loosed upon the world . . .

Now, therefore, I, Harry S. Truman, President of the United States of America, do proclaim the existence of a national emergency, which requires that the military, naval, air, and civilian defenses of this country be strengthened as speedily as possible to the end that we may be able to repel any and all threats against our national security. . . .

In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the city of Washington this 16th day of December in the year of our Lord 1950, and of the independence of the United States of America the one hundred and seventy-fifth.

HARRY S TRUMAN.

By the President:

DEAN ACHESON,
Secretary of State.

Embargo on Trade With Cuba**§ 12.2 A Presidential proclamation relating to an embargo of all trade with Cuba was inserted in the Congressional Record in the Senate.**

On Sept. 20, 1962,⁽¹⁶⁾ the following proclamation was inserted in the Record in the Senate:

15. 96 CONG. REC. A7844, 81st Cong. 2d Sess.

16. 108 CONG. REC. 20034, 87th Cong. 2d Sess.

EMBARGO ON ALL TRADE WITH CUBA
BY THE PRESIDENT OF THE UNITED
STATES OF AMERICA—A PROCLAMATION

Whereas the eighth meeting of consultation of Ministers of Foreign Affairs, serving as organ of consultation in application of the Inter-American Treaty of Reciprocal Assistance, in its final act resolved that the present Government of Cuba is incompatible with the principles and objectives of the inter-American system; and, in light of the subversive offensive of Sino-Soviet communism with which the Government of Cuba is publicly alined, urged the member states to take those steps that they may consider appropriate for their individual and collective self-defense. . . .

. . . Now, therefore, I, John F. Kennedy, President of the United States of America, acting under the authority of section 620(a) of the Foreign Assistance Act of 1961 (75 Stat. 445), as amended, do—

1. Hereby proclaim an embargo upon trade between the United States and Cuba in accordance with paragraphs 2 and 3 of this proclamation.

2. Hereby prohibit, effective 12:01 a.m., eastern standard time, February 7, 1962, the importation in the United States of all goods of Cuban origin . . .

Done at the city of Washington this third day of February in the year of our Lord 1962, and of the Independence of the United States of America the 186th.

John F. Kennedy.

By the President:

DEAN RUSK,
Secretary of State.

Extraordinary Session (Neutrality Legislation)

§ 12.3 A Presidential proclamation convening an extraordinary session of Congress to act on neutrality legislation was inserted in the Congressional Record.

On Sept. 21, 1939,⁽¹⁷⁾ the following proclamation convening the Congress in extraordinary session was read to the House:⁽¹⁸⁾

THE SPEAKER:⁽¹⁹⁾ The Clerk will read the proclamation of the President of the United States convening this extraordinary session of the Seventy-sixth Congress.

The Clerk read as follows:

CONVENING THE CONGRESS IN EXTRA
SESSION BY THE PRESIDENT OF THE
UNITED STATES OF AMERICA

A PROCLAMATION

Whereas public interests require that the Congress of the United States should be convened in extraordinary session at 12 o'clock noon on Thursday, the 21st day of September, 1939, to receive such communication as may be made by the Executive: Now, therefore,

17. 85 CONG. REC. 7, 8, 76th Cong. 2d Sess.

18. This proclamation was read in the Senate, *id.* at p. 3.

See §§9.1, 11.6, *supra*, for a discussion of the Neutrality Act of 1939 and the President's message requesting neutrality legislation, respectively.

19. William B. Bankhead (Ala.).

I, Franklin D. Roosevelt, President of the United States of America, do hereby proclaim and declare that an extraordinary occasion requires the Congress of the United States to convene in extraordinary session at the Capitol in the City of Washington on Thursday, the 21st day of September, 1939, at 12 o'clock noon, of which all persons who shall at that time be entitled to act as Members thereof are hereby required to take notice.

In witness whereof, I have hereunto set my hand and caused to be affixed the great seal of the United States.

Done at the city of Washington this 13th day of September, in the year of our Lord 1939, and of the independence of the United States of America the one hundred and sixty-fourth.

[SEAL]

FRANKLIN D. ROOSEVELT.

By the President:

CORDELL HULL,
Secretary of State.

War Between Germany and Foreign Nations

§ 12.4 A Presidential proclamation relating to a state of war between Germany and France, Poland, the United Kingdom, India, Australia, Canada, New Zealand, and the Union of South Africa, authorized by the Neutrality Act of 1939, was inserted in the Record.

On Nov. 3, 1939,⁽¹⁾ the following Presidential proclamation relating to a state of war between Germany and several nations as authorized by the Neutrality Act of 1939,⁽²⁾ was placed in the *Congressional Record*:

MR. [ALBEN W.] BARKLEY [of Kentucky]: Mr. President, under permission granted on November 3, 1939, page 1358, I wish to insert in the Congressional Record two proclamations issued by the President of the United States, as provided under House Joint Resolution 306, passed at the extra session of Congress, relating to neutrality, as follows:

DEPARTMENT OF STATE,
November, 1939.

PROCLAMATION OF A STATE OF WAR BETWEEN GERMANY AND FRANCE; POLAND; AND THE UNITED KINGDOM, INDIA, AUSTRALIA, CANADA, NEW ZEALAND, AND THE UNION OF SOUTH AFRICA

BY THE PRESIDENT OF THE UNITED STATES:

A PROCLAMATION

Whereas section 1 of the joint resolution of Congress approved November 4, 1939, provides in part as follows:

"That whenever the President, or the Congress by concurrent resolution, shall find that there exists a state of war between foreign states, and that it is necessary to promote the security or preserve the peace of the United States

1. 85 CONG. REC. A787, 76th Cong. 2d Sess.
2. See §9.1, *supra*, for a discussion of the Neutrality Act of 1939.

or to protect the lives of citizens of the United States, the President shall issue a proclamation naming the states involved; and he shall, from time to time, by proclamation, name other states as and when they may become involved in the war." . . .

Now, therefore, I, Franklin D. Roosevelt, President of the United States of America, acting under and by virtue of the authority conferred on me by the said joint resolution, do hereby proclaim that a state of war unhappily exists between Germany and France, Poland, and the United Kingdom, India, Australia, Canada, New Zealand, and the Union of South Africa, and that it is necessary to promote the security and preserve the peace of the United States and to protect the lives of citizens of the United States. . . .

And I do hereby revoke my proclamations Nos. 2349, 2354, and 2360 issued on September 5, 8, and 10, 1939, respectively, in regard to the export of arms, ammunition, and implements of war to France, Germany, Poland, and the United Kingdom, India, Australia, and New Zealand, to the Union of South Africa, and to Canada. . . .

Done at the city of Washington this fourth day of November, in the year of our Lord nineteen hundred and thirty-nine, and of the independence of the United States of America the one hundred and sixty-fourth.

FRANKLIN D. ROOSEVELT.

By the President:

CORDELL HULL,

Secretary of State.

Use of American Ports by Belligerent Nations

§ 12.5 A Presidential proclamation relating to use of ports

or territorial waters of the United States by submarines of foreign belligerent nations, authorized by the Neutrality Act of 1939, was inserted in the Record.

On Nov. 3, 1939,⁽³⁾ the following Presidential proclamation relating to use of ports or territorial waters of the United States by submarines of foreign belligerent states was inserted in the Record:

Whereas section 11 of the joint resolution approved November 4, 1939, provides:

"Whenever, during any war in which the United States is neutral, the President shall find that special restrictions placed on the use of the ports and territorial waters of the United States by the submarines or armed merchant vessels of a foreign state, will serve to maintain peace between the United States and foreign states, or to protect the commercial interests of the United States and its citizens, or to promote the security of the United States, and shall make proclamation thereof, it shall thereafter be unlawful for any such submarine or armed merchant vessel to enter a port or the territorial waters of the United States or to depart therefrom, except under such conditions and subject to such limitations as the President may prescribe. . . .

Whereas there exists a state of war between Germany [and other nations]; and

3. 85 CONG. REC. A787, 76th Cong. 2d Sess.

See §9.1, *supra*, for a discussion of the Neutrality Act of 1939.

Whereas the United States of America is neutral in such war;

Now, therefore, I, Franklin D. Roosevelt, President of the United States of America, acting under and by virtue of the authority vested in me by the foregoing provision of section 11 of the joint resolution approved November 4, 1939, do by this proclamation find that special restrictions placed on the use of the ports and territorial waters of the United States, exclusive of the Canal Zone, by the submarines of a foreign belligerent state, both commercial submarines and submarines which are ships of war, will serve to maintain peace between the United States and foreign states, to protect the commercial interests of the United States and

its citizens, and to promote the security of the United States;

And I do further declare and proclaim that it shall hereafter be unlawful for any submarine of [specified nations] to enter ports or territorial waters of the United States. . . .

Done at the city of Washington this fourth day of November in the year of our Lord nineteen hundred and thirty-nine, and of the Independence of the United States of America the one hundred and sixty-fourth.

FRANKLIN D. ROOSEVELT.

By the President:

Cordell Hull,
Secretary of State.

C. HOUSE PREROGATIVE TO ORIGINATE REVENUE BILLS

§ 13. In General

The precedents in sections 15–18, *infra*, relate to the constitutional prerogative of the House to originate bills to raise revenue.⁽⁴⁾ Article I, section 7, clause 1, provides that, “All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.”⁽⁵⁾

4. See 2 Hinds’ Precedents §§1480–1501; 6 Cannon’s Precedents §§314–322; and 8 Cannon’s Precedents §2278, for earlier precedents.

5. See *House Rules and Manual* §99 (1973).

Because questions relating to the prerogative of the House to originate revenue legislation⁽⁶⁾ involve interpretation of the Constitution⁽⁷⁾ rather than House

See also Constitution of the United States of America: Analysis and Interpretation, S. Doc. No. 92–82, 92d Cong. 2d Sess. 125, 126 (1973), for discussion of this provision. And see §§19, 20, *infra*, for a discussion of Senate authority to amend revenue bills and make appropriations.

6. For one view on what is comprehended by the phrase “bills for raising revenue,” see J. Story, *Commentaries on the Constitution of the United States* §880, vol. 1, Boston (1833).

7. See, for example, the discussion and cases cited in §19.2, *infra*.